

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently Amended) A data communication system comprising:
 - a first terminal device configured to transmit content and content provider identification data identifying the provider of the content;
 - a server device configured to receive and store the transmitted content and content provider identification data; and
 - a second terminal device configured to transmit user identification data to the server device, configured to receive and store the content from the server device based on the user identification data, and configured to reproduce the stored content upon detection of an incoming call;
- wherein the server device stores first account information corresponding to the content provider identification data and second account information corresponding to the user identification data, the server device incrementing first amount information in the first account information when receiving the content from the first terminal device, the server device decrementing second amount information in the second account information when transmitting the content to the second terminal device; and the server device decrementing a larger second amount information in response to a higher reproduction volume of the content on the second terminal device.

2. (Previously Presented) A data communication system according to claim 1, wherein the first account information includes first account data corresponding to the content provider identification data and the second account information includes second account data corresponding to the user identification data;

wherein the server device comprises a communication unit configured to transmit the first and second account information to an external settlement center, the server device thereby prompting the external settlement center through the communication unit to settle account balances corresponding to the first account data based on the amounts represented by the first amount information and to settle account balances corresponding to the second account data based on the amounts represented by the second amount information.

3. (Previously Presented) A data communication system according to claim 1, wherein the second terminal device comprises:

a storing unit configured to store the content transmitted from the server device;

a reproducing unit configured to retrieve the content from the storing unit and reproduce the retrieved content;

an incoming call detecting unit configured to detect an incoming call from a third terminal device; and

a controlling unit configured to, if the incoming call detecting unit detects an incoming call from a third terminal device, cause the reproducing unit to reproduce the content; configured to establish a connection with the third terminal device in

response to an operation performed by a user while the content is being reproduced;
and configured to terminate the reproduction of the content once the connection with the
third terminal device is established.

4. (Previously Presented) A data communication system according to
claim 3, wherein the server device makes a larger decrement in the second amount
information the greater the number of times the content has been reproduced on the
second terminal device.

5. (Cancelled)

6. (Currently Amended) A data communication system according to
claim 5 1, wherein the server device decrements the second amount information only if
the reproduction volume of the content on the second terminal device is greater than
zero.

7. (Currently Amended) A data communication system according to
claim 5 1, wherein the second terminal device comprises:

a counting unit configured to count the number of times the content has
been reproduced by the reproducing unit; and

an accumulating unit configured to accumulate the reproduction volume in
effect whenever the content is reproduced by the reproducing unit;

wherein, in each predetermined period of time, the controlling unit takes a counting result of the counting unit as the number of times the contents have been reproduced and transmits the number of times to the server device; and the controlling unit takes a division result of dividing an accumulation result of the accumulating unit by the counting result as a content reproduction volume and transmits the content reproduction volume to the server device.

8. (Previously Presented) A data communication system according to claim 1, wherein the server device selects user identification data from the second terminal device based upon distribution conditions applicable to the content transmitted from the first terminal device, and the server device transmits the content to the second terminal device.

9. (Previously Presented) A data communication system according to claim 1, wherein the server device returns a content list to the second terminal device in response to access therefrom; and

wherein the second terminal device has a selecting unit configured to select from the content list a content desired to be downloaded.

10. (Previously Presented) A data communication system according to claim 1, wherein the second terminal device comprises a delete inhibit controlling unit configured to inhibit deletion of a content transmitted from the server device.

11. (Previously Presented) A data communication system according to claim 1, wherein the content is music data.

12. (Previously Presented) A data communication system according to claim 1, wherein the content is promotion video data.

13. (Previously Presented) A data communication system according to claim 1, wherein the provider is a content sponsor.

14. (Previously Presented) A data communication system according to claim 1, wherein the second terminal device comprises a mobile communication terminal device.

15. (Previously Presented) A data communication system according to claim 1, wherein the second terminal device comprises a plurality of portable telephones.

16. (Withdrawn) A server device comprising:
communicating means for receiving from a first terminal device content and content provider identification data identifying the provider of said content;
storing means for storing the content received through said communicating means in correspondence with said content provider identification data;
and

controlling means for transmitting said content through said communicating means to a second terminal device based on user identification data received from said second terminal device;

wherein said storing means stores first account information corresponding to said content provider identification data and second account information corresponding to said user identification data; and

wherein said controlling means increments first amount information in said first account information when receiving said content from said first terminal device through said communicating means, and decrements second amount information in said second account information when transmitting said content to said second terminal device through said communicating means.

17. (Withdrawn) A server device according to claim 16, wherein said first account information includes first account data corresponding to said content provider identification data and said second account information includes second account data corresponding to said user identification data;

wherein said communicating means transmits said first and said second account information to an external settlement center thereby prompting said external settlement center to settle account balances corresponding to said first account data based on the amounts represented by said first amount information and to settle account balances corresponding to said second account data based on the amounts represented by said second amount information.

18. (Withdrawn) A server device according to claim 16, wherein said controlling means makes a larger decrement in said second amount information the greater the number of times said content has been reproduced on said second terminal device.

19. (Withdrawn) A server device according to claim 18, wherein said controlling means makes a larger decrement in said second amount information the higher a reproduction volume of said content is on said second terminal device.

20. (Withdrawn) A server device according to claim 19, wherein said controlling means decrements said second amount information only if the reproduction volume of said content on said second terminal device is greater than zero.

21. (Withdrawn) A server device according to claim 16, wherein said controlling means selects those of said user identification data from said second terminal device which complies with distribution conditions applicable to said content transmitted from said first terminal device, said controlling means further causing said communicating means to transmit said content to the second terminal device from which the selected user identification data has been received.

22. (Withdrawn) A server device according to claim 16, wherein said controlling means returns a list of said content to said second terminal device in response to access therefrom.

23. (Withdrawn) A server device according to claim 16, wherein said content is music data.

24. (Withdrawn) A server device according to claim 16, wherein said content is promotion video data.

25. (Withdrawn) A server device according to claim 16, wherein said provider is a content sponsor.

26. (Currently Amended) A communication terminal device comprising:
a communicating unit configured to transmit user identification data to a server device and exchange call data with the server device;
a storing unit configured to store content offered by content provider and transmitted from the server device in accordance with the user identification data;
a reproducing unit configured to reproduce the content; and
a controlling unit configured to retrieve the content from the storing unit upon detection of incoming call data, cause the reproducing unit to reproduce the retrieved content, and cause the communicating unit to transmit to the server device a reproducing ~~condition~~ volume of the content reproduced by the reproducing unit.

27. (Previously Presented) A communication terminal device according to claim 26, wherein the controlling unit causes the reproducing unit to reproduce the

content upon detection of incoming call data from a second terminal device; proceeds to establish a connection with the second terminal device in response to an operation performed by a user while the content is being reproduced; and terminates the reproduction of the content once the connection with the second terminal device is established.

28. (Previously Presented) A communication terminal device according to claim 27, wherein the controlling unit causes the communicating unit to transmit to the server device the number of times the content has been reproduced by the reproducing unit.

29. (Previously Presented) A communication terminal device according to claim 28, wherein the controlling unit causes the communicating unit to transmit to the server device a volume of the content reproduced by the reproducing unit.

30. (Previously Presented) A communication terminal device according to claim 29, further comprising:

a counting unit configured to count the number of times the content has been reproduced by the reproducing unit; and

an accumulating unit configured to accumulate the reproduction volume in effect whenever the content is reproduced by the reproducing unit;

wherein, in each predetermined period of time, the controlling unit takes a counting result of the counting unit as the number of times the contents have been

reproduced and transmits the number of times to the server device; and the controlling unit takes a division result of dividing an accumulation result of the accumulating unit by the counting result as a content reproduction volume and transmits the content reproduction volume to the server device.

31. (Previously Presented) A communication terminal device according to claim 26, wherein the controlling unit causes the communicating unit to transmit to the server device a request signal requesting the server device to transmit a content list; and

the communication terminal device further comprises a selecting unit configured to select a content desired to be downloaded from the content list transmitted from the server device in response to the request signal.

32. (Previously Presented) A communication terminal device according to claim 26, further comprising a delete inhibit controlling unit configured to inhibit deletion from the storing unit of a content transmitted from the server device.

33. (Previously Presented) A communication terminal device according to claim 26, wherein the content is music data.

34. (Previously Presented) A communication terminal device according to claim 26, wherein the content is promotion video data.

35. (Previously Presented) A communication terminal device according to claim 26, wherein the provider is a content sponsor.

36. (Previously Presented) A communication terminal device according to claim 26, wherein the communication terminal device comprises a mobile communication terminal device.

37. (Original) A communication terminal device according to claim 26, wherein the communication terminal device comprises a plurality of portable telephones.

38. (Currently Amended) A data communication method comprising the steps of:

allowing a first terminal device to transmit to a server device a content and content provider identification data identifying the provider of said content;

allowing a second terminal device to transmit user identification data to said server device;

allowing said server device to receive and store said content, said content provider identification data, and said user identification data;

allowing said server device which stores first account information corresponding to said content provider identification data and second account information corresponding to said user identification data; to increment first amount information in said first account information when receiving said content from said first

terminal device; to transmit said content to said second terminal device based on said user identification data; ~~and~~ to decrement second amount information in said second account information upon transmission of said content to said second terminal device; and to decrement a larger second amount information in response to a higher reproduction volume of the content on the second terminal device;

allowing said second terminal device to receive and store the transmitted content; and

allowing said second terminal device to reproduce said content upon detection of an incoming call.

39. (Currently Amended) A data communication method comprising the steps of:

allowing a server device to receive from a first terminal device a content and content provider identification data identifying the provider of said content, and to receive and store user identification data from a second terminal device; and

allowing said server device which stores first account information corresponding to said content provider identification data and second account information corresponding to said user identification data; to increment first amount information in said first account information when receiving said content from said first terminal device; to transmit said content to said second terminal device based on said user identification data; ~~and~~ to decrement second amount information in said second account information upon transmission of said content to said second terminal device;

and to decrement a larger second amount information in response to a higher reproduction volume of the content on the second terminal device.

40. (Currently Amended) A data communication method comprising the steps of:

allowing a communication terminal device to transmit user identification data to a server device;

allowing the communication terminal device to store a content offered by a content provider and transmitted from the server device in accordance with the user identification data;

allowing the communication terminal device to retrieve the stored content upon detection of incoming call data and to reproduce the retrieved content; and

allowing the communication terminal device to transmit a reproducing ~~condition~~ volume of the retrieved content to the server device.

41. (Withdrawn) A storage medium which stores a data communication method program comprising the steps of:

allowing a server device to receive from a first terminal device a content and content provider identification data identifying the provider of content, and to receive and store user identification data from second terminal device; and

allowing said server device which stores first account information corresponding to said content provider identification data and second account information corresponding to said user identification data; to increment first amount

information in said first account information when receiving said content from said first terminal device; to transmit said content to said second terminal device based on said user identification data; and to decrement second amount information in said second account information upon transmission of said content to said second terminal device.

42. (Currently Amended) A storage medium which stores a data communication method program, the method comprising the steps of:

allowing a communication terminal device to transmit user identification data to a server device;

allowing the communication terminal device to store a content offered by a content provider and transmitted from the server device in accordance with the user identification data;

allowing the communication terminal device to retrieve the stored content upon detection of incoming call data and to reproduce the retrieved content; and

allowing the communication terminal device to transmit a reproducing ~~condition~~ volume of the retrieved content to the server device.